

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 MICHAEL FOLEY,

5 Plaintiff,

6 v.

7 JENNIFER MORRONE, et al,

8 Defendant.

Case No. 2:13-cv-01639-APG-NJK

**Order Accepting Report and
Recommendation and Dismissing Case**

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10 On August 7, 2014, Magistrate Judge Koppe entered her Report and Recommendation
11 [Dkt. #21] recommending dismissal of Plaintiff's federal law claims with prejudice, and dismissal
12 of Plaintiff's state law claims without prejudice. No objection has been filed to that Report and
13 Recommendation. Thus, I am not required to conduct "any review at all ... of any issue that is not
14 the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985). The Ninth Circuit has
15 confirmed that a district court is not required to review a magistrate judge's report and
16 recommendation where no objection has been filed. *See United States v. Reyna-Tapia*, 328 F.3d
17 1114, 1121 (9th Cir. 2003) ("[T]he district judge must review the magistrate judge's findings and
18 recommendations de novo if objection is made, but not otherwise."); *see also Schmidt v.*
19 *Johnstone*, 263 F.Supp.2d 1219, 1226 (D.Ariz. 2003) (based on *Thomas* and *Reyna-Tapia*,
20 "district courts are not required to conduct any review at all . . . of any issue that is not the subject
21 of an objection."). Because there is no objection to a magistrate judge's recommendation, I may
22 accept the recommendation without review.

23 Nevertheless, I have reviewed the issues set forth in the Report and Recommendation.
24 Judge Koppe's Report and Recommendation sets forth the proper legal analysis, and the factual
25 basis, for the decision. Therefore,

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1 IT IS HEREBY ORDERED that the Report and Recommendation is accepted, and this
2 case is DISMISSED. The clerk of the court shall enter Judgment accordingly.

3 Dated: August 27th, 2013.

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5 ANDREW P. GORDON
6 UNITED STATES DISTRICT JUDGE
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